

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
) CASE NO. CR14-058-RSL
Plaintiff,)
)
v.) SUPPLEMENTAL
) DETENTION ORDER
ANDRES ROA DOMINGUEZ)
a/k/a Prospero Sanchez,)
)
Defendant.)

Offense charged: Conspiracy to Distribute Heroin and Methamphetamine; Possession of
Heroin and Methamphetamine with Intent to Distribute

Date of Detention Hearing: June 16, 2014.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
based upon the factual findings and statement of reasons for detention hereafter set forth, finds
that no condition or combination of conditions which defendant can meet will reasonably
assure the appearance of defendant as required and the safety of other persons and the
community.

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FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant has been charged with a drug offense, the maximum penalty of which is in excess of ten years. There is therefore a rebuttable presumption against defendant as to both dangerousness and flight risk, under 18 U.S.C. § 3142(e).

2. Defendant was ordered detained by order of this Court on March 4, 2014, based on information that an immigration detainer had been filed. Subsequently, it was determined that defendant did have legal immigration status as a legal permanent resident under his true name, Prospero Sanchez Rosado. Therefore, the Court found it appropriate to revisit the issue of defendant's detention status pending trial.

3. The Court finds defendant poses a risk of nonappearance due to use of different names, dates of birth and social security numbers. The defendant apparently has Washington State Drivers licenses in both names, and has applied for business licenses under the assumed name. Defendant gave a false name to law enforcement when arrested. He has strong family ties to Mexico, where his mother and 7 siblings reside. He and his girlfriend are both citizens of Mexico. It is likely defendant would be deported if convicted, and he faces a mandatory minimum term of five years. Defendant poses a risk of danger to the community due to the nature of the charges, and the presence of firearms, false identification documents, and body armor found in a search of his residence.

4. Taken as a whole, the record does not effectively rebut the presumption that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.

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01 It is therefore ORDERED:

- 02 1. Defendant shall be detained pending trial and committed to the custody of the Attorney
03 General for confinement in a correction facility separate, to the extent practicable, from
04 persons awaiting or serving sentences or being held in custody pending appeal;
- 05 2. Defendant shall be afforded reasonable opportunity for private consultation with
06 counsel;
- 07 3. On order of the United States or on request of an attorney for the Government, the
08 person in charge of the corrections facility in which defendant is confined shall deliver
09 the defendant to a United States Marshal for the purpose of an appearance in connection
10 with a court proceeding; and
- 11 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel
12 for the defendant, to the United States Marshal, and to the United State Pretrial Services
13 Officer.

14 DATED this 16th day of June, 2014.

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17 Mary Alice Theiler
18 Chief United States Magistrate Judge
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